

### REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 13-21 are presented for consideration in lieu of claims 1-12, which have been canceled without prejudice or disclaimer. Claims 13, 20 and 21 are independent. Support for these claims can be found in the original application, as filed. No new matter has been added.

Applicants request favorable reconsideration and withdrawal of the rejection set forth in the Office Action dated March 19, 2003.

Claims 1-11 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 4,869,593 to Biegen in view of U.S. Patent No. 5,808,724 to Ina et al.

Applicants submit that the cited art, whether taken individually or in combination, does not teach many features of the present invention as previously recited in claims 1-12.

Therefore, this rejection is respectfully traversed. Nevertheless, Applicants submit that claims 13-21 amplify the distinctions between the present invention and the cited art.

In one aspect of the invention, independent claim 13 recites a position detecting system that includes light source means, a first optical system having a stop, a beam splitter for dividing light from the light source means and passed through the first optical system, wherein light beams divided by the beam splitter are respectively contributable to form an image of the stop, a second optical system for illuminating a target with light from an image of the stop as formed by one of the divided light beams, a reflecting member

disposed at a position at which another divided light beam forms an image of the stop, and image pickup means. Light from the target and light reflected by a reflecting surface of the reflecting member are recombined to produce an image signal upon the image pickup means.

In other aspects of the invention, independent claims 20 and 21 recite various aspects of an exposure apparatus and a device manufacturing method of the present invention. These claims recite features similar to those recited in independent claim 13.

Applicants submit that the cited art does not teach or suggest such features of the present invention as recited in independent claims 13, 20 and 21.

The Examiner relies on the Biegen patent for disclosing a coherent light source 10, incoherence means 18, an optical dividing system 43, an image pickup and contrast adjusting means. The Examiner further relies on the Ina et al. patent for disclosing an exposure apparatus including position detecting means 101 and incoherence means.

Applicants submit, however, that the cited art, whether taken individually or in combination, does not teach or suggest the salient features of the present invention as recited in independent claims 13, 20 and 21, including at least the arrangement of the first optical system, beam splitter, second optical system, reflecting member and image pickup means, in which light beams are split and then light from a target and light reflected by a reflecting surface of the reflecting member are recombined to produce an image signal upon the image pickup means.

Applicants submit, therefore, that the present invention, as recited in independent claims 13, 20 and 21, is patentably defined over the cited art, whether that art is taken individually or in combination.

Dependent claims 14-19 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in independent claim 13. Individual consideration of these dependent claims is requested.

Applicant submits that the instant application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



Attorney for Applicants

Steven E. Warner

Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
SEW/eab

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